

REMARKS/ARGUMENTS

Claims 1-19 are pending. Claims 1-7 have been cancelled without prejudice. Claims 9 and 14 have been amended. Support for the amendments to claims 9 and 14 may at least be found at page 8, line 8 in the specification, and in the claims, specification and drawings as originally filed. No new matter has been introduced as a result of these amendments. Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

The Examiner requested copies of two non-patent literature journal articles/conference proceedings. Presently, Applicants are making efforts to obtain and provide copies of the aforementioned non-patent literature to the Examiner.

The Examiner has indicated claims 8 and 10-13 contain allowable subject matter.

The Examiner has indicated claim 9 would be allowable if the objection to claim 9 is overcome.

The Examiner has indicated claims 14-19 would be allowable if the objection to claim 14 is overcome.

The Examiner has objected to claims 4 and 9 under 37 C.F.R. §1.75(d) and MPEP §608.01(o).

The Examiner has rejected claims 1, 6, 7 and 14 under 35 U.S.C. §101.

The Examiner has rejected claims 1-3 and 5-7 under 35

U.S.C. 102(a) as being anticipated by U.S.P.N. 6,631,292 to Liedtke.

Allowable Subject Matter

The Examiner has indicated claims 8 and 10-13 contain allowable subject matter. Applicants would like to thank Examiner Sundararaman for conducting a search and examining the claims to reach this favorable conclusion. Applicants sincerely appreciate his time and efforts in this matter.

Objections to the Claims

The Examiner has objected to claims 4 and 9 under 37 C.F.R. §1.75(d) and MPEP §608.01(o).

Applicants have cancelled claim 4 thus rendering moot the aforementioned objection. Applicants have amended claim 9 to correct a typographical error.

In light of the foregoing amendment, Applicant respectfully requests the Examiner withdraw the objection against claim 9 and find claim 9 allowable in light of his remarks at page 6, section 10 of the present Office action mailed on March 9, 2006.

Rejection under 35 U.S.C. §101

The Examiner has rejected claims 1, 6, 7 and 14 under 35 U.S.C. §101 by asserting the claimed invention is directed to non-statutory subject matter.

Applicants have cancelled claims 1-7 thus rendering moot the present rejection against claims 1, 6 and 7.

Applicants have amended claim 14 to adopt the Examiner's language recited at page 3, section 2 of the present Office action mailed on March 9, 2006.

Rejection under 35 U.S.C. §102(a)

The Examiner has rejected claims 1-3 and 5-7 under 35 U.S.C. §102(a) as being anticipated by U.S.P.N. 6,631,292 to Liedtke.

Applicants have cancelled claims 1-7 thus rendering the present rejection moot under 35 U.S.C. §102(a).


CONCLUSION

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,
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Date: September 11, 2006

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Mail Stop Amendments Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on September 11, 2006.


Lori Larson